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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/645,887	08/25/2000	Yuen Leung	MSFT-0181/142415.1	4084

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EXAMINER	
DADA, BEEMNET W	

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/645,887	LEUNG ET AL.	
	Examiner	Art Unit	
	Beemnet W Dada	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 June 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,10-15,17-20,22-27,29-31,33-38,40-43,45 and 46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,10-15,17-20,22-27,29-31,33-38,40-43,45 and 46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in reply to an amendment filed on June 28, 2004. Claims 1, 8, 14, 19, 24, 29, 31, 33, 37 and 42 have been amended and claims 5, 9, 16, 21, 28, 32, 39 and 44 have been cancelled. Claims 1-4, 5-8, 10-15, 17-20, 22-27, 29-31, 33-38, 40-43 and 45-46 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claim1-4, 6-8, 10-13, 24-27, 29-31 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downs et al. US Patent 6,574,609 B1 (hereinafter Downs) in view of Bell et al. US Patent 6,832,319 B1 (hereinafter Bell).

4. As per claims 1 and 24, Downs teaches a method for enabling the rendering of digital content on a device [see abstract], the method comprising:

transferring the content to the device, obtaining a digital license corresponding to the content, composing a sub-license corresponding to and based on the obtained license and transferring the composed sub-license to the device, to enable rendering of the content on the

device only in accordance with the terms of the sub-license on the device (i.e., transferring a content with usage conditions to digital content stores from content hosting sites, at the digital content store add or narrow the usage conditions and transferring the content with the modified usage conditions to user device) [see column 22, lines 17-60 and column 17, step 124];

wherein the content is encrypted and decryptable according to a content key and wherein the license includes the content key encrypted into a form un-decryptable by the device, the composing of the sub-license comprising re-encrypting the content key into a form that is decryptable by the device and placing the re-encrypted content key in the sub-license [column 17, lines 44-53, column 18, steps 133, 144-148]. Downs is silent on placing an indexing information in the sub-license identifying a secret to the device that the device employs to decrypt the encrypted content. However the use of indexing information to identify a secret used to encrypt/decrypt data is well known in the art. For example Bell teaches a licensing agency assigning device keys for encrypting and decrypting content, by use of indexing information to identify secret to the device that the device employs to decrypt encrypted content [column 8, line 37 – column 9, line16], which has the advantage of protecting unauthorized transfer of content from one device to another. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the teachings of Bell within the system of Downs in order to protect unauthorized transfer of content between multiple users.

5. As per claims 11 and 34, Downs teaches a method for rendering digital content on a device, the method comprising:

receiving the content onto the device (column 16, line 19), the content being encrypted and decryptable according to a content key (column 15, lines 55-57);

receiving a digital license corresponding to the content onto the device (column 18, lines 51-53), the license including the content key encrypted and decryptable according to a secret (public key, private key) (column 18, lines 48-51);

applying the secret to the encrypted content key to decrypt and obtain the content key (column 16, lines 43-45); and

applying the obtained content key to the encrypted content to decrypt and obtain the content (column 16, lines 45-47). Downs is silent on placing an indexing information in the license identifying a secret to the device. However the use of indexing information to identify a secret used to encrypt/decrypt data is well known in the art. For example Bell teaches a licensing agency assigning device keys for encrypting and decrypting content, by use of indexing information to identify secret to the device that the device employs to decrypt encrypted content [column 8, line 37 – column 9, line16], which has the advantage of protecting unauthorized transfer of content from one device to another. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the teachings of Bell within the system of Downs in order to protect unauthorized transfer of content between multiple users.

6. As per claims 2 and 25, the combination of Downs and Bell teaches the method as applied above. Furthermore, Downs teaches the method further comprising, prior to composing the sub-license and transferring the composed sub-license to the device, checking the obtained license to determine that such license permits issuance of the sub-license to the device [column 18, steps 143, 144].

7. As per claims 3, 4, 26 and 27 the combination of Downs and Bell teaches the method as applied above. Furthermore, Downs teaches the method further comprising, coupling the device to a computer, placing the obtained license on the computer; and transferring the composed sub-license from the computer to the device [figure 6].

8. As per claims 6, 7, 29 and 30 the combination of Downs and Bell teaches the method as applied above. Furthermore, Downs teaches the method wherein the content is encrypted with a symmetric key and the symmetric key is encrypted with a public key of the user which corresponds to a private key [column 18, step 144, and column 17, lines 44-47].

9. As per claims 8 and 31 the combination of Downs and Bell teaches the method as applied above. Furthermore, Downs teaches the method wherein the composing of the sub-license further comprises placing a rights description in the sub-license, the rights description describing rights description describing rights conferred by the license, the device rendering the corresponding content only in accordance with the rights description [column 22, lines 30-49].

10. As per claims 10 and 33 the combination of Downs and Bell teaches the method as applied above. Furthermore, Downs teaches the method wherein composing of the sublicense further comprises placing a signature in the sublicense, the signature verifying the sublicense [column 22, lines 42-43].

11. As per claims 12 and 35, the combination of Downs and Bell teaches the method as applied above. Furthermore, Downs teaches the method, wherein the license includes a

signature, the method further comprising verifying the license based on the signature thereof and the secret (column 16, lines 19-25).

12. As per claims 13 and 36, the combination of Downs and Bell teaches the method as applied above. Furthermore, Downs teaches the method, wherein the license includes a rights description describing rights conferred by the license, the method comprising rendering the corresponding content only in accordance with the rights description (column 19, lines 9-37).

13. Claims 14, 15, 17-20, 22, 23, 37, 38, 40-43, 45 and 46 are rejected under 35 U.S.C 103(a) as being unpatentable over Matias et al. US Patent 6,681,017 (hereinafter Matias) in view of Bell et al. US Patent 6,832,319 B1 (hereinafter Bell).

14. As per claims 14, 19, 37 and 42, Matias teaches a method for composing a license for rendering digital content on a device, the content being encrypted and decryptable according to a content key, the device having an identifier, the method comprising:

deriving (generating) a secret (i.e. a shared key) (column 2, lines 5-10) by:

obtaining the device identifier (client identifier) (column 2, line 7) ;

acquiring a super-secret (i.e. secret client information) that is also acquirable by the device (column 2, line 8); and

applying the obtained device identifier and super-secret to a function to derive the secret (column 2, lines 5-10):

(SECRET) (i.e. shared key) = function (device identifier, (SUPER-SECRET)) (column 5, lines 65-67 and column 6, lines 1-8);

Furthermore, Matias teaches encrypting / decrypting data using the generated shared key (column 6, lines 25-34). However Matias does not explicitly teach placing an indexing information in a license identifying a secret to the device. However the use of indexing information to identify a secret used to encrypt/decrypt data is well known in the art. For example Bell teaches a licensing agency assigning device keys for encrypting and decrypting content, by use of indexing information to identify secret to the device that the device employs to decrypt encrypted content [column 8, line 37 – column 9, line16], which has the advantage of protecting unauthorized transfer of content from one device to another. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the teachings of Bell within the system of Matias in order to protect unauthorized transfer of content between multiple users.

15. As per claims 15, 20, 38 and 43 the combination of Matias and Bell teaches the method as applied above. Furthermore Matias teaches the method, wherein the content has a content ID, the method comprising deriving a secret by:

obtaining the content ID (server ID) of the content (column 4, line 12);

obtaining the device identifier (client ID) (column 4, line 12);

acquiring a super-secret (secret information) that is also acquirable by the device (column 4, line 14); and

applying the obtained content ID, device identifier, and super-secret to a function to derive the secret (column 4, lines 9-15):

(SECRET) (i.e. shared key)= function (content ID, device identifier, (SUPER-SECRET)) (column 5, lines 65-67 and column 6, lines 1-8).

16. As per claims 17, 18, 22, 23, 40, 41, 45 and 46, the combination of Matias and Bell teaches the method as applied above. Furthermore Matias teaches driving a secret key (shared key) according to a function of device identifier (client identifier), content identifier (server identifier) and super-secret information (column 4, lines 7-15), and encrypting / decrypting data using the derived secret key (shared key) (column 6, lines 25-34). Bell teaches a licensing agency assigning device keys for encrypting and decrypting content, by use of indexing information to identify secret to the device that the device employs to decrypt encrypted content [column 8, line 37 – column 9, line16].

Response to Arguments

17. Applicant's arguments filed on June 28, 2004 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

January 27, 2005

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